

**DECLARATION
AND POWER OF ATTORNEY
PCT CONTINUATION APPLICATION**

which is described and claimed in:

[] the specification in application
Serial No. _____, filed
(for declaration not accompanying appl.)

I hereby claim the priority benefits under 35 U.S.C. § 119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

| | | |
|----------------|------------------------|-----------------------|
| <u>COUNTRY</u> | <u>APPLICATION NO.</u> | <u>DATE OF FILING</u> |
| PCT | PCT/US98/23516 | November 3, 1998 |

**ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED**

COUNTRY APPLICATION NO. DATE OF FILING

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, William F. Gudine, Jr. #20,569, Michael J. Sweedler #19,927, S. Peter Ludwig #25,351, Paul Fields #20,288, Marc S. Gross #19,614, Harold E. Wurst #22,183, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Elhan Horwitz #27,646, Beverly B. Goodwin #28,417, Adde C. Gogoris #29,714, Martin E. Goldstein #20,869, Bart J. Lowen #19,407, Henry Sternberg #22,408, Robert A. Green #28,301, Peter C. Schechter #31,882, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,489, Ira J. Levy #35,587, Joseph R. Robinson #33,448

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

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Michael J. Sweedler, Esq
212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: GRAY FIRST NAME: William MIDDLE NAME:
CITY: Mercer Island STATE OR FOREIGN COUNTRY: Washington COUNTRY OF CITIZENSHIP: U.S.A.
POST OFFICE ADDRESS: 4622 Shoreclub Drive CITY: Mercer Island STATE OR COUNTRY: Washington ZIP CODE: 98040

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: GAMBALE FIRST NAME: Richard MIDDLE NAME: A.
CITY: Tyngsboro STATE OR FOREIGN COUNTRY: Massachusetts COUNTRY OF CITIZENSHIP: U.S.A.
POST OFFICE ADDRESS: 382 Dunstable Road CITY: Tyngsboro STATE OR COUNTRY: Massachusetts ZIP CODE: 01879

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and

100887978-062204

the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: William Gray MD DATED: 11/11/99
William Gray

SIGNATURE OF INVENTOR 2: _____ DATED: _____
Richard A. Gambale

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As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

[X] the attached specification, which is
a continuation of international
application No. PCT/US98/23516
filed November 3, 1998

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

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FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: GRAY

FIRST NAME: William

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FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: GAMBALE

FIRST NAME: Richard

MIDDLE NAME: A.

CITY: Tyngsboro

STATE OR FOREIGN COUNTRY: Massachusetts

COUNTRY OF CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: 382 Dunstable Road

CITY: Tyngsboro

STATE OR COUNTRY: Massachusetts

ZIP CODE: 01879

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and

SIGNATURE OF INVENTOR 1: _____ DATED: _____
William Gray

SIGNATURE OF INVENTOR 2: Richard A. Gambale DATED: Nov 1, 1992

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